

CERTIFIED
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1 UNITED STATES DISTRICT COURT
2 FOR THE DISTRICT OF MASSACHUSETTS

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4
5 LUIGI WARREN, : Civ. A. No.
6 Plaintiff, : 17-12472-DLC
7 :
8 vs. :
9 :
10 THE CHILDREN'S HOSPITAL :
11 CORPORATION, :
12 Defendant. :
13 - - -

14 CONFIDENTIAL - SUBJECT TO PROTECTIVE ORDER

15 Friday, November 16, 2018
16 - - -

17 Videotaped deposition of LUIGI WARREN, Ph.D.,
18 held at VEDDER PRICE, P.C., 1925 Century Park East,
19 Suite 1900, Los Angeles, California, commencing at
20 approximately 9:14 a.m., before Rosemary Locklear, a
21 Registered Professional Reporter, Certified Realtime
22 Reporter and California CSR (#13969).
23 - - -

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1 APPEARANCES:

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3 LUIGI WARREN, Pro Se
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5 202 South Raymond Avenue, # 205
6 Pasadena, California 91105
7 Appearing Pro Se

6

7 MURPHY & KING, P.C.
8 BY: THEODORE J. FOLKMAN, ESQUIRE
9 tfolkman@murphyking.com
10 One Beacon Street
11 Boston, Massachusetts 02108
12 (617) 423-0400
13 Appearing on behalf of the Defendant

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12 ALSO PRESENT:

13

14 ANIA BILINSKA, Video Operator

15 ASHLEY J. STEVENS
16 FOCUS IP GROUP, L.L.C.

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1 (The court reporter read the requested portion
2 of the record.)

3 THE WITNESS: Yes. The only thing I would add
4 to that is it's never been -- the question of whether
5 the policies have ever been changed has obviously come
6 up in the context of this suit, and the only thing
7 that's ever been asserted regarding that has been this
8 claim that the policies were changed through the
9 language in the Affiliation Agreement.

10 So I guess, by implication, that suggests that a
11 2004 document was -- was -- was it. Plus, that was the
12 document they sent me. So, in that sense, I do have
13 reason to believe that it wasn't changed.

14 MR. FOLKMAN: Okay. So I move to strike the
15 answer, but I'll go on.

16 BY MR. FOLKMAN:

17 Q. Who were the trustees at the time that you were
18 at IDI?

19 A. I have no idea.

20 Q. Do we agree that neither IDI nor Children's
21 Hospital ever made distributions to you or to Derrick
22 Rossi under the IDI policy, Exhibit 4?

23 A. Yes.

24 Q. I'd like to talk about the damages and remedies
25 that you're claiming in this lawsuit.

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1 A. Uh-huh.

2 Q. One element of what you're claiming, as I
3 understand it, is that the percentage of the licensing
4 revenue, the net licensing revenue, that you were
5 entitled to under the IDI policy is higher than the
6 percentage that you were entitled to under the policies
7 that the hospital has actually applied and you're
8 entitled to the difference between those two
9 percentages.

10 Are you with me?

11 A. That's a somewhat strange way of putting it,
12 since it's not a damages case, but I'm asking the judge
13 to rule that the IDI percentage is controlling.

14 Q. That's a very fair point.

15 I mean, you're not claiming damages, you're
16 claiming -- you're seeking a declaratory judgment. But
17 that's the essence of your point about the percentages;
18 right?

19 A. Yes.

20 Q. Okay. And thank you for correcting me about the
21 technicality there. You're absolutely right.

22 The other main claim that you're making is
23 that -- as I understand it, is that the hospital and IDI
24 should have distributed -- well, that you should have
25 received stock at or shortly after the time that IDI

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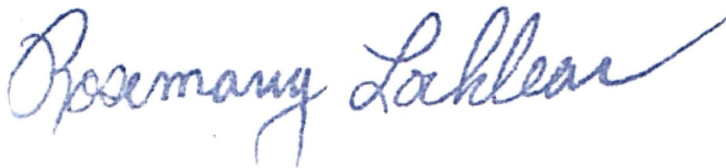
1 STATE OF CALIFORNIA)

2 COUNTY OF LOS ANGELES)

3 I, ROSEMARY LOCKLEAR, a Certified Shorthand
4 Reporter of the State of California, duly authorized to
5 administer oaths pursuant to Section 2025 of the
6 California Code of Civil Procedure, do hereby certify
7 that

8 LUIGI WARREN, Ph.D., the witness in the
9 foregoing deposition, was by me duly sworn to testify
10 the truth, the whole truth and nothing but the truth in
11 the within-entitled cause; that said testimony of said
12 witness was reported by me, a disinterested person, and
13 was thereafter transcribed under my direction into
14 typewriting and is a true and correct transcription of
15 said proceedings.

16 I further certify that I am not of counsel or
17 attorney for either or any of the parties in the
18 foregoing deposition and caption named, nor in any
19 way interested in the outcome of the cause named in
20 said deposition dated the _____ day of
21 _____, 2018.

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25 ROSEMARY LOCKLEAR, RPR, CRR, CSR 13969